



General Assembly

Substitute Bill No. 126

February Session, 2014



AN ACT CONCERNING CHILDREN'S EXPOSURE TO CHEMICALS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) For purposes of this section:

2 (1) "Chemical" means (A) a substance with a distinct molecular
3 composition, or (B) a group of structurally-related substances.
4 "Chemical" includes the breakdown products of the substance or
5 substances that form through decomposition, degradation or
6 metabolism; and

7 (2) "Priority chemical" means a chemical identified by the
8 Commissioner of Public Health that is known, on the basis of credible
9 scientific evidence, to: (A) Harm the normal development of a fetus or
10 child or cause other developmental toxicity; (B) cause cancer, genetic
11 damage or reproductive harm; (C) disrupt the endocrine system; (D)
12 damage the nervous system, immune system or organs or cause other
13 systemic toxicity; (E) be persistent, bioaccumulative and toxic; or (F) be
14 very persistent and very bioaccumulative.

15 Sec. 2. (NEW) (*Effective from passage*) (a) Not later than January 1,
16 2015, the Commissioner of Public Health, in consultation with the
17 Commissioner of Energy and Environmental Protection and the
18 Commissioner of Consumer Protection, shall create and maintain a list

19 of priority chemicals that are of high concern after considering a child's
20 or developing fetus's potential for exposure to each chemical. The
21 Commissioner of Public Health may include on the list priority
22 chemicals that (1) are published on a list of harmful chemicals created
23 by a state or federal government agency, or (2) meet one or more of the
24 following criteria: (A) Credible biomonitoring studies have
25 demonstrated the presence of the chemical in human umbilical cord
26 blood, breast milk, urine or other bodily tissues or fluids; (B) the
27 priority chemical has been found through sampling and analysis to be
28 present in household dust, indoor air, drinking water or elsewhere in
29 the home environment; or (C) the priority chemical has been added to
30 or is present in a consumer product used or present in the home.

31 (b) Said commissioners shall review and revise the list of priority
32 chemicals at least once every two years and shall consider adding
33 priority chemicals that meet the criteria set forth in subdivisions (1)
34 and (2) of subsection (a) of this section to said list.

35 (c) Not later than July 1, 2015, and biennially thereafter, the
36 Commissioner of Public Health shall report to the joint standing
37 committee of the General Assembly having cognizance of matters
38 relating to public health on the status of the list of priority chemicals
39 created and maintained in accordance with this section. Such report
40 shall include, but need not be limited to: (1) Recommendations to
41 reduce children's exposure to priority chemicals on the list; (2) a list of
42 products that contain priority chemicals on the list and that may lead
43 to a child's exposure to a priority chemical; (3) a summary of actions
44 taken in other states to restrict children's exposure to priority
45 chemicals on the list; (4) an evaluation of the advantages and
46 disadvantages of measures to reduce children's exposure to priority
47 chemicals on the list, including reporting, product labeling, public
48 advisories, product bans and steps to phase out the sale of products;
49 and (5) an assessment of the feasibility of phasing out or banning
50 products containing priority chemicals on the list, including an
51 analysis of the feasibility of replacing the use of priority chemicals with

52 safer chemicals in such products.

53 (d) The Commissioner of Public Health may require persons located
 54 in the state who manufacture or distribute products intended for
 55 children that contain priority chemicals on the list to conduct an
 56 assessment of the feasibility of replacing such priority chemicals with
 57 safer alternatives in such products and to report to the commissioner
 58 concerning the results of such assessment. The commissioner may
 59 include a summary of any such reports received from such
 60 manufacturers or distributors in the report described in subsection (c)
 61 of this section.

This act shall take effect as follows and shall amend the following sections:

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|-----------|---------------------|-------------|
| Section 1 | <i>from passage</i> | New section |
| Sec. 2 | <i>from passage</i> | New section |

Statement of Legislative Commissioners:

Throughout section 2, "chemical" was changed to "priority chemical", for internal consistency; in section 2(a), the phrase "of high concern to children" was changed to "of high concern", for clarity; in section 2(c), the phrase "section 2 of this act" was changed to "this section", for clarity; throughout section 2(c) and in section 2(d), the phrase "chemicals on the priority list" was changed to "priority chemicals on the list", for clarity and internal consistency; and in section 2(d) "such chemicals" was changed to "such priority chemicals" for internal consistency.

PH *Joint Favorable Subst.*